

JUDGE SPRIZZO

03 CRIM 538

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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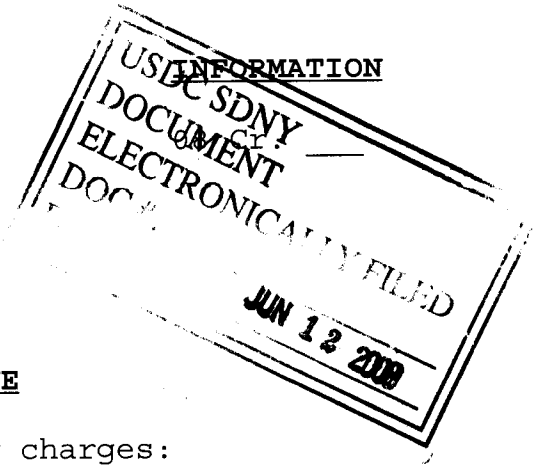
UNITED STATES OF AMERICA :

-v- :

MARK BRENER, :
a/k/a "Michael," :

Defendant. :

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COUNT ONE

The United States Attorney charges:

1. From in or about December 2004, up through and including on or about March 6, 2008, in the Southern District of New York and elsewhere, MARK BRENER, a/k/a "Michael," the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to violate Sections 1952(a)(3), 2421, and 2422(a) of Title 18, United States Code.

2. It was a part and an object of the conspiracy that MARK BRENER, a/k/a "Michael," the defendant, and others known and unknown, would and did use and cause to be used facilities in interstate commerce, to wit, cellular telephones and e-mail, with intent to promote, manage, establish, and carry on, and to facilitate the promotion, management, establishment and carrying on of an unlawful activity, to wit, a business enterprise involving prostitution offenses in violation of applicable State law, and thereafter did perform and attempt to perform an act to

promote, manage, establish, and carry on and to facilitate the promotion, management, establishment, and carrying on of said unlawful activity, in violation of Title 18, United States Code, Section 1952(a)(3).

3. It was further a part and an object of the conspiracy that MARK BRENER, a/k/a "Michael," the defendant, and others known and unknown, unlawfully, willfully and knowingly would and did transport individuals in interstate and foreign commerce with intent that such individuals engage in prostitution, and in sexual activity for which a person can be charged with a criminal offense, in violation of Title 18, United States Code, Section 2421.

4. It was further a part and an object of the conspiracy that MARK BRENER, a/k/a "Michael," the defendant, and others known and unknown, unlawfully, willfully and knowingly would and did persuade, induce, entice, and coerce individuals to travel in interstate and foreign commerce to engage in prostitution and in sexual activity for which a person can be charged with a criminal offense, in violation of Title 18, United States Code, Section 2422(a).

Overt Acts

5. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others,

were committed in the Southern District of New York and elsewhere:

a. On or about January 9, 2008, MARK BRENER, a/k/a "Michael," the defendant, spoke over the telephone with co-conspirators not named as defendants herein about offering the clients the opportunity to exercise a "buyout clause," which would permit clients to purchase direct access to one of the prostitutes without having to contact BRENER's agency;

b. On or about January 28, 2008, MARK BRENER, a/k/a "Michael," the defendant, met with co-conspirators not named as defendants herein in the vicinity of Grand Central Terminal in New York, New York.

(Title 18, United States Code, Section 371.)

COUNT TWO

The United States Attorney further charges:

6. From in or about December 2004, up through and including on or about March 6, 2008, in the Southern District of New York and elsewhere, MARK BRENER, a/k/a "Michael," the defendant, and others known and unknown, unlawfully, willfully, and knowingly combined, conspired, confederated, and agreed together and with each other to commit an offense against the United States, to wit, to violate Title 18, United States Code, Section 1956.

7. It was a part and an object of the conspiracy that MARK BRENER, a/k/a "Michael," and others known and unknown, in an offense involving and affecting interstate and foreign commerce, knowing that the property involved in certain financial transactions represented the proceeds of some form of unlawful activity, unlawfully, willfully, and knowingly would and did conduct such financial transactions, which in fact involved the proceeds of specified unlawful activity, to wit, the use of facilities in interstate commerce with the intent to promote, manage, establish, and carry on, and to facilitate the promotion, management, establishment, and carrying on of an unlawful activity, to wit, a business involving prostitution offenses in violation of applicable State law, in violation of Title 18, United States Code, Section 1952(a)(3); interstate transportation of individuals to engage in prostitution, in violation of Title 18, United States Code, Section 2421; and persuasion of individuals to travel in interstate and foreign commerce to engage in prostitution, in violation of Title 18, United States Code, Section 2422(a), (a) with the intent to promote the carrying on of specified unlawful activity, and (b) knowing that the transactions were designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership, and the control of the proceeds of specified unlawful activity,

in violation of Title 18, United States Code, Sections 1956(a)(1)(A)(i) and 1956(a)(1)(B)(i).

Overt Acts

8. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about December 10, 2004, a co-conspirator not named as a defendant herein ("CC-1") opened a bank account in the name of "QAT Consulting Group, Inc.";

b. In or about November 30, 2006, CC-1 opened a bank account in the name of "QAT International, Inc.";

c. On or about February 14, 2008, in New York, New York, MARK BRENER, a/k/a "Michael," and CC-1 met with a prostitute to collect cash proceeds paid to the prostitute by a customer.

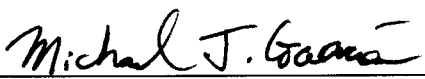
(Title 18, United States Code, Sections 1956(h).)

FORFEITURE ALLEGATION

9. As a result of committing the money laundering offense alleged in Count Two of this Information, MARK BRENER, a/k/a "Michael," the defendant, shall forfeit to the United States pursuant to Title 18, United States Code, Section 982, all property, real and personal, involved in the money laundering

offense alleged in this Information and all property traceable to such property.

(Title 18, United States Code, Section 982.)



By MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

MARK BRENER,
a/k/a "Michael,"

Defendant.

INFORMATION

08 Cr.

(18 U.S.C. §§ 371 and 1956(h).)

MICHAEL J. GARCIA
United States Attorney.

6/12/08 Deft pres w/ Atty Murray Kuchman
Gov't pres by Daniel Stein, AG's
Deft w/draws plea of AG & pleads
GUILTY as charged.
Pst ref to Prob; SRNS 9/16/08.3
Deft cont'd removed; SPR 1220, 2